UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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                                     :

JOHN CARLOS CASTILLO ROSARIO,   :

                       Plaintiff,   :

                                       :   20-CV-7941 (VEC)

          -against-   :

                                       :   ORDER

                                       :

LOVELY TWINS WINES & LIQUORS INC., :
WACAL SOTO, DANILO CABRERA, WASCAR :
SOTO   :
                          Defendants.   X

VALERIE CAPRONI, United States District Judge:

       WHEREAS on September 25, 2020, Plaintiff filed a Complaint against four Defendants,

Dkt. 1;

       WHEREAS on January 4, 2021, the Court ordered Plaintiff to must move for an order to

show cause why default judgment should not be entered against Defendant Lovely Twins Wines

& Liquors Inc., in accordance with this Court's Individual Practices, by no later than Friday,

January 22, 2021, Dkt. 13;

       WHEREAS in the same Order, the Court ordered Plaintiffs to show cause, no later than

Friday, January 22, 2021, why the action against the three individual Defendants should not be

dismissed without prejudice for failure to serve or for failure to prosecute, Dkt. 13;

       WHEREAS on January 4, 2021, Plaintiff filed proof of service as to the three individual

Defendants, Dkts. 14–16;

       WHEREAS the three individual Defendants were served on October 29, 2020 and had

until November 19, 2020 to answer or otherwise respond to the Complaint, Dkts. 14–16; and

       WHEREAS all four Defendants have not appeared and have not answered or otherwise

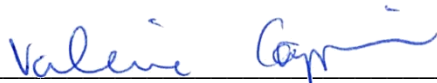responded in the time allotted;

IT IS HEREBY ORDERED that Plaintiff must move for an order to show cause why default judgment should not be entered against all four Defendants, in accordance with this Court's Individual Practices, by no later than **Friday, January 22, 2021**.

IT IS FURTHER ORDERED that the Court's Order to show cause why the action against the three individual Defendants should not be dismissed without prejudice for failure to serve or for failure to prosecute is vacated.

IT IS FURTHER ORDERED that if Plaintiff is in negotiations with any of Defendants, counsel must inform the Court promptly, or if the parties have reached a settlement agreement, they must submit the agreement for approval in accordance with *Cheeks v. Pancake House*, 796 F.3d 199 (2d Cir. 2017).

SO ORDERED.

Date: January 5, 2021   **VALERIE CAPRONI**
         New York, NY   **United States District Judge**